

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 25-33 are currently pending, Claims 25-32 having been amended, Claim 33 having been newly added, and Claims 1-24 having been canceled without prejudice or disclaimer. The changes and additions to the claims do not add new matter and are supported by the originally filed specification, for example, on page 21, line 22 to page 22, line 10.

In the outstanding Office Action, the specification was objected to; Claim 24 was objected to for an informality; Claims 1-6 were objected to and rejected under 35 U.S.C. §112, second paragraph, as being indefinite; Claims 1-9, 11, 13-23, and 25-32 were rejected under 35 U.S.C. §102(b) as anticipated by Osawa et al. (U.S. Patent No. 5,930,367, hereafter “Osawa”); and Claims 10, 12, and 24 were rejected under 35 U.S.C. § 103(a) as unpatentable over Osawa.

**Applicants note that the Examiner did not indicate consideration of references AO to AR listed in the Information Disclosure Statement (IDS) filed on August 31, 2004. Each of the foreign references listed on the IDS are available in the image file wrapper as indicated on the USPTO PAIR system, and the statement of relevancy for each reference is indicated in the International Search Report for the corresponding international application, which is also available in the image file wrapper. MPEP §609.04(a).III states the following:**

**“Where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by**

**the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report."**

**Accordingly, it is respectfully requested that all references listed on the IDS of August 31, 2004 be indicated as considered.**

With respect to the objection to the specification, Applicants respectfully submit that the amendment to the specification, adding a paragraph for cross-referencing related applications, overcomes this ground of objection.

With respect to the objection to the Abstract, Applicants respectfully submit that the replacement Abstract, which is limited to one paragraph and describes the invention defined by Claim 25, overcomes this ground of objection.

With respect to the rejection of Claim 25 under 35 U.S.C. §102(b), Applicants respectfully submit that the amendment to Claim 25 overcomes this ground of rejection.

Amended Claim 25 recites, *inter alia*,

reading first identification information from an auxiliary recording region of a recording medium, including the auxiliary recording region in which writing of content data is prohibited and a main storing region in which the content data can be written and reading second identification information from the main recording region, and when first identification information is read from the auxiliary recording region and second identification information is read from the main recording region, comparing the first identification information with the second identification information, and outputting the content data read from the main recording region when the first identification information corresponds to the second identification information; and

when first identification information is not read from the auxiliary recording region or second identification information is not read from the main recording region, outputting the content data read from the main recording region.

Applicants respectfully submit that Osawa fails to disclose or suggest these features of Claim 25.

Applicants' disclosure describes a non-limiting example of the invention defined by Claim 25, where if first identification information (disc ID) or second identification information are not read from the disc, then outputting the content can still take place (see specification, at page 21, line 22 to page 22, line 10). This allows compatibility with a disc that was recorded on an apparatus that does not insert identification information onto the disc (see specification, at page 22, lines 3-10).

Osawa describes a reproducing apparatus that extracts identification information from a recording medium (see col. 7, lines 53-57 of Osawa). Osawa describes that if a comparison circuit determines that the identification information on a disc is different than reference identification information, then reproduced signals are inhibited from being outputted (see col. 9, lines 10-22). Additionally, if the identification information is lost or not found by the identification information extraction circuit 130, then reproduced signals are also inhibited from being outputted (see col. 9, lines 29-52). In other words, if identification information is not found on the recording medium in Osawa, then a user cannot playback the content on the recording medium.

Therefore, Osawa fails to disclose or suggest that when first identification information is not read from the auxiliary recording region or second identification information is not read from the main recording region, outputting the content data read from the main recording region, as defined by amended Claim 25.

Thus, Applicants respectfully submit that amended Claim 25 (and all associated dependent claims) patentably distinguishes over Osawa.

Independent Claims 28, 29, 30, 31, 32, and new Claim 33 recite features similar to those of amended Claim 25. Thus, Applicants respectfully submit that amended

independent Claims 28, 29, 30, 31, 32, and 33 (and all associated dependent claims)  
patentably distinguish over Osawa.

Consequently, in light of the above discussion and in view of the present amendment, the outstanding grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Joseph Wrkich  
Registration No. 53,796

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)

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